

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

April 8, 2016

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 16OD-027

Oahu

Issuance of Right-of-Entry Permit to Waikiki Beach Activities, Ltd. for Beach Event Purposes on April 21, 2016, Waikiki, Honolulu, Oahu, Tax Map Key: (1) 2-3-037:Portion of 021.

APPLICANT:

Waikiki Beach Activities, Ltd.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Waikiki, Honolulu, Oahu, identified by Tax Map Key (1) 2-3-037:portion of 021, as shown on the maps attached as **Exhibit A1** and **A2**.

AREA:

3,000 square feet, more or less.

ZONING:

State Land Use District: Urban
City and County of Honolulu LUO: Public Precinct

TRUST LAND STATUS:

Section 5(a) lands of the Hawaii Admission Act
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Beach activities purposes

TERM:

8:00 a.m. to 1:00 p.m. on April 21, 2016, Thursday.

RENTAL:

\$300.00 (one time payment)

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51. See exemption declaration attached as **Exhibit B**.

DCCA VERIFICATION:

Place of business registration confirmed:	YES	<u>X</u>	NO	___
Registered business name confirmed:	YES	<u>X</u>	NO	___
Applicant in good standing confirmed:	YES	<u>X</u>	NO	___

REMARKS:

Waikiki Beach Activities, Ltd. is requesting a right-of-entry permit over a portion of the Duke Kahanamoku Beach as depicted on Exhibit A2 for beach event purposes to be held on April 21, 2016. A group of about 125 guests from Applied Materials will stay at the abutting hotel and a team-building event is planned for the guests on the requested date.

On the event date, a small beach volleyball court with a 10' x 10' tent will be used, in addition to 25 beach chairs within the requested location. No alcoholic beverages will be served on the beach and a small public address system will be used with speakers directed at the hotel.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions. No comments were solicited from government or community agencies.

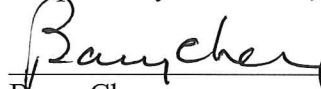
Staff does not have any objection to the request.

There are no other pertinent issues or concerns, and staff does not have any objection to the request.

RECOMMENDATION: That the Board:

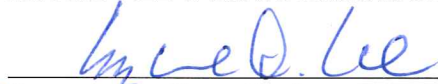
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a right-of-entry permit to Waikiki Beach Activities, Ltd. covering the subject area for beach activities purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time;
 - b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

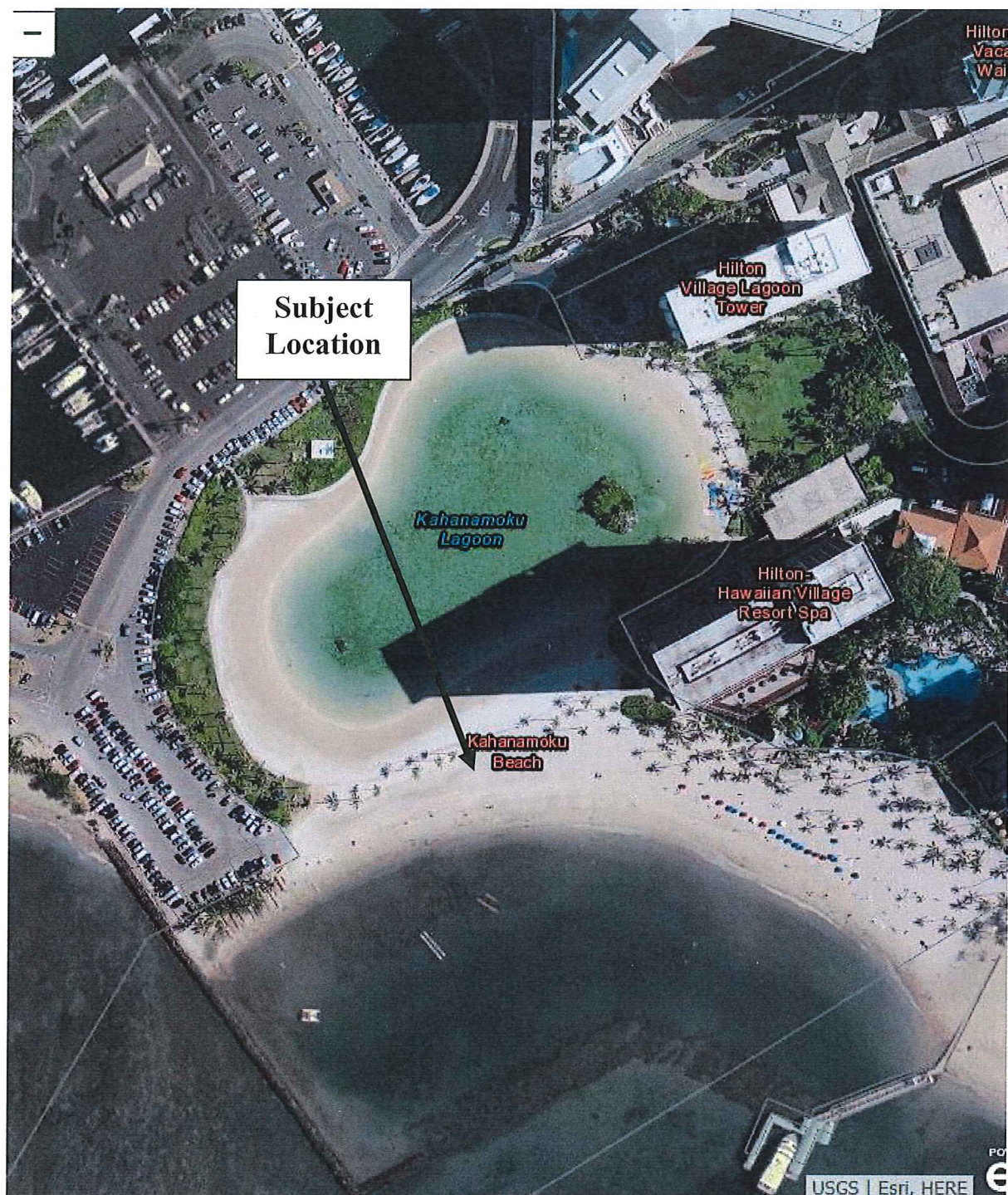


Barry Cheung
District Land Agent

APPROVED FOR SUBMITTAL:

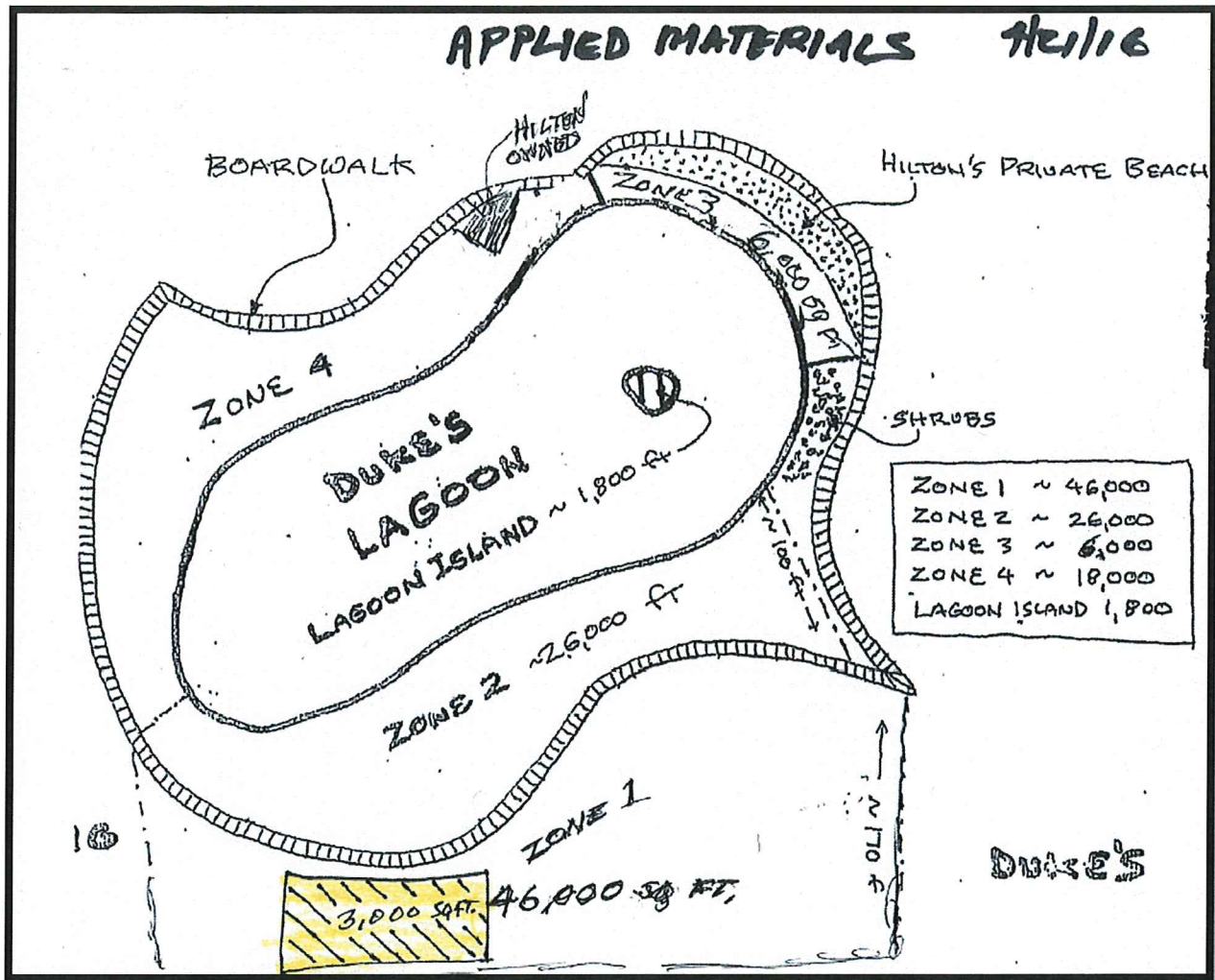


Suzanne D. Case, Chairperson



TMK (1) 2-3-037:portion of 021

EXHIBIT A1



TMK (1) 2-3-037:portion of 021

EXHIBIT A2

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

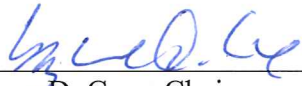
Project Title: Beach Activities Purposes on Duke Kahanamoku Beach
Project / Reference No.: PSF 16OD-027
Project Location: Waikiki, Honolulu, Oahu, TMK (1) 2-3-037:portion of 021.
Project Description: Beach activities purposes
Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8 and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated June 5, 2015, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, Item 51, which reads "[p]ermits, licenses, registrations, and rights-of-entry issued by the Department that are routine in nature, involving negligible impacts beyond that previously existing".

The Board has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use beyond that previously existing.

Consulted Parties: Office of Conservation and Coastal Lands

Recommendation: It is recommended that the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.


Suzanne D. Case, Chairperson


Date 3/14/16

EXHIBIT B